Docket No.: 050432-0616 -

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

Seung-Hyun RHEE

Appl. No.

10/728,772

Filed

December 8, 2003

Title

A METHOD OF FORMING AN

INTERLEVEL DIELECTRIC LAYER EMPLOYING DIELECTRIC ETCH-**BACK PROCESS WITHOUT EXTRA**

MASK SET

Grp./A.U. : 1765

Examiner

: Mahmoud Dahimene

Customer No.: 41552 Confirmation No.: 1077

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being

facsimile transmitted to the Patent and Trademark Office on July 5, 2006.

C. M. McClure

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

JUL 0 5 2006

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated January 4, 2006 of the Primary Examiner finally rejecting claims 1 and 4-17.

Appeal Fee:

\$\$500.00

Not required (fee paid in prior appeal in this application).

Charge to Deposit Account No. 502624.

 \boxtimes Check Enclosed.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

The PTO did not receive the following listed Item(s) Cheok \$ S0000

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McDERMOTT WILL & EMERY LL!

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Please recognize our Customer No. 41552 as

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